

FORM PTO-550 (Modified)
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

BB-1264

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR)

09/857524

INTERNATIONAL APPLICATION NO.

PCT/US99/28589

INTERNATIONAL FILING DATE

2 DECEMBER 1999 (02.12.99)

PRIORITY DATE CLAIMED

3 DECEMBER 1998 (03.12.98)

TITLE OF INVENTION

MEMBRANE-BOUND DESATURASES

APPLICANT(S) FOR DO/EO/US

CAHOON, Edgar B., et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to being national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b)) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application was filed (35 U.S.C. 371 (c) (2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371 (c) (2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c) (3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409)
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 18 below concern document(s) or information included :

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☒ A change of power of attorney and/or address letter.
18. ☒ Certificate of Mailing by Express Mail.
19. ☐ Other items or information:

17. General Power of Attorney**18. Express Mailing Label No.: EL031052609US**

APPLICATION NO. (IF KNOWN, SEE 37 CFR) <div style="font-size: 24pt; font-weight: bold;">09/857524</div>		INTERNATIONAL APPLICATION NO. PCT/US99/28589		ATTORNEY'S DOCKET NUMBER BB-1264	
20. The following fees are submitted BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)) : <input checked="" type="checkbox"/> Search Report has been prepared by the EPO or JPO \$860.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$690.00 <input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$760.00 <input type="checkbox"/> Neither international preliminary examination fee paid to USPTO (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1000.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) And all claims satisfied provisions of PCT Article 33(2)-(4) \$ 100.00 <div style="text-align: right; font-weight: bold;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	17 - 20 =	0 x	\$18.00	\$ 0	
Independent Claims	2 - 3 =	0 x	\$80.00	\$ 0	
Multiple Dependent Claims (check if applicable)			<input type="checkbox"/>	\$ 0	
TOTAL OF ABOVE CALCULATIONS =				\$ 0	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).			<input type="checkbox"/>	\$0.00	
SUBTOTAL =				\$ 0	
Processing Fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				\$0.00	
TOTAL NATIONAL FEE =				\$ 860	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).			<input type="checkbox"/>	\$0.00	
TOTAL FEES ENCLOSED =				\$ 860	
				Amount to be : refunded	\$
				Charged	\$

☐ A check in the amount of _____ to cover the above fees enclosed.
☒ Please charge my Deposit Account No. **04-1928** in the amount of \$ **860.00** to cover the above fees.
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **04-1928** a duplicate copy of this sheet is enclosed.

NOTE : Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (CFR 1.37(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

LI, KENING
E. I. DU PONT DE NEMOURS AND COMPANY
Legal Patent Records Center
1007 Market Street
Wilmington, Delaware 19898
United States of America

SIGNATURE _____

KENING LI

NAME _____

44,872

REGISTRATION NUMBER _____
DATE 06/04/2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 110**Complete if Known**

Application Number	09/857,524
Filing Date	JUNE 4, 2001
First Named Inventor	REBECCA E. CAHOON ET AL.
Examiner Name	UNKNOWN
Group / Art Unit	UNKNOWN
Attorney Docket No.	BB1264 US PCT

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

04-1928

Deposit
Account
Name

E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES

Total Claims	-20	=	0	X	18	=	0
Independent Claims	-3	=	0	X	84	=	0
Multiple Dependent		X	280	=	0		

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$) 110**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	LYNNE M. CHRISTENBURY	Registration No. Attorney/Agent)	30,971	Telephone	302-992-5481
Signature	Lynne M. Christenbury			Date	9/16/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

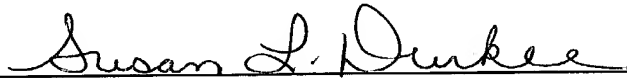
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, Box PCT
Washington, D.C. 20231

on September 16, 2002
Date



Signature

SUSAN L. DURKEE

Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/857,524
BB1264 US PCT
PRELIMINARY AMENDMENT AND RESPONSE TO NOTIFICATION OF DEFECTIVE
RESPONSE
STATEMENT UNDER 37 1.821(g) AND 1.825(b)
SEQUENCE DISKETTE - CRF
SEQUENCE LISTING - 19 PAGES
COPY OF NOTIFICATION OF DEFECTIVE RESPONSE
PETITION FOR EXTENSION OF TIME
POSTCARD

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
REBECCA E. CAHOON ET AL.

CASE NO.: BB1264 US PCT

APPLICATION NO.: 09/857,524
I.A. APPLICATION NO.: PCT/US99/28589

GROUP ART UNIT: UNKNOWN

I.A. FILING DATE: 12/02/1999

EXAMINER: UNKNOWN

FOR: MEMBRANE-BOUND DESATURASES

STATEMENT UNDER 37 CFR 1.821(g) and 1.825(b)

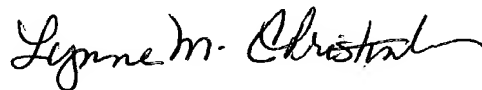
Commissioner for Patents, Box PCT
Washington, DC 20231

Sir:

The submission of the substitute Sequence Listing filed concurrently herewith does not include new matter.

The copy of the substitute Sequence Listing in computer readable form filed concurrently herewith is the same as the paper copy of the substitute Sequence Listing filed concurrently herewith.

Respectfully submitted,



LYNNE M. CHRISTENBURY
Attorney For Applicants
Registration No. 30,971
Telephone: 302-992-5481
Facsimile: 302-892-1026

Dated: Sept. 16, 2002

DT17 Rec'd PCT/PTO 25 SEP 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
REBECCA E. CAHOON ET AL.

CASE NO.: BB1264 US PCT

APPLICATION NO.: 09/857,524
I.A. APPLICATION NO. PCT/US99/28589

GROUP ART UNIT: UNKNOWN

I.A. FILING DATE: 12/02/1999

EXAMINER: UNKNOWN

FOR: MEMBRANE-BOUND DESATURASES

**PRELIMINARY AMENDMENT AND
RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

Commissioner for Patents, Box PCT
Washington, DC 20231

Sir:

In response to the Notification of Defective Response dated July 29, 2002, please amend the application as follows and consider the following remarks.

IN THE SEQUENCE LISTING:

Please replace the originally-filed sequence listing with the enclosed substitute sequence listing.

REMARKS

This is in response to the Notification of Defective Response dated July 29, 2002.

The sequence listing has been amended to correct the deficiencies noted in the Notification of a Defective Response. No new matter is believed to be added.

Please charge any requisite fees or credit any overpayment to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). In view of the foregoing, allowance of the above-referenced application is earnestly solicited.

Respectfully submitted,

Lynne M. Christenbury
LYNNE M. CHRISTENBURY
Attorney For Applicants
Registration No. 30,971
Telephone: 302-992-5481
Facsimile: 302-892-1026

Dated: Sept. 16, 2002

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:
R. CAHOON ET AL.

CASE NO.: BB1264

APPLICATION NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

FOR: UDP-GLUCOSE MODIFIERS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Before examination of the above-referenced application, please amend the application as follows:

In the Claims:

Please cancel claims 1-19.

Please add the following new claims:

- 20. An isolated polynucleotide that encodes a plant desaturase polypeptide having a sequence identity of at least 80%, based on the Clustal method of alignment, when compared to a polypeptide selected from the group consisting of SEQ ID NOs: 2, 4, 6, 8, and 17.
21. The polynucleotide of Claim 20 wherein the sequence identity is at least 85%.
22. The polynucleotide of Claim 20 wherein the sequence identity is at least 90%.
23. The polynucleotide of Claim 20 wherein the sequence identity is at least 95%.
24. The polynucleotide of Claim 20 wherein the polypeptide is selected from the group consisting of SEQ ID Nos:2, 4, 6, 8, and 17.
25. The polynucleotide of Claim 20, wherein the polynucleotide is selected from SEQ ID Nos:1, 3, 5, 7, and 16.
26. An isolated complement of the polynucleotide of Claim 20, wherein (a) the complement and the polynucleotide consist of the same number of nucleotides, and (b) the nucleotide sequences of the complement and the polynucleotide have 100% complementarity.

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Docket No.: BB1264

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27. An isolated nucleic acid molecule that encodes a plant desaturase e polypeptide and remains hybridized with the isolated polynucleotide of Claim 20 under a wash condition of 0.1X SSC, 0.1% SDS, and 65°C.
28. A cell or a virus comprising the polynucleotide of Claim 20.
29. The cell of Claim 28, wherein the cell is selected from the group consisting of a yeast cell, a bacterial cell, an insect cell, and a plant cell.
30. A transgenic plant comprising the polynucleotide of Claim 20.
31. A method for transforming a cell comprising introducing into a cell the polynucleotide of Claim 20.
32. A method for producing a transgenic plant comprising (a) transforming a plant cell with the polynucleotide of Claim 20, and (b) regenerating a plant from the transformed plant cell.
33. An isolated a desaturase polypeptide having a sequence selected from the group consisting of SEQ ID NOs: 2, 4, 6, 8 and 17.
34. A chimeric gene comprising the polynucleotide of Claim 20 operably linked to at least one suitable regulatory sequence.
35. The chimeric gene of Claim 34, wherein the chimeric gene is an expression vector.
36. A method for altering the level of plant desaturase polypeptide expression in a host cell, the method comprising:
 - (a) Transforming a host cell with the chimeric gene of claim 33; and
 - (b) Growing the transformed cell in step (a) under conditions suitable for the expression of the chimeric gene.--

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Docket No.: BB1264

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Remarks

Applicants respectfully submit that newly added claims more clearly and distinctly recite that which applicants consider to be their invention, and are adequately supported by the original disclosure.

No new matter is believed to be at issue. Entry of the amendments and early favorable consideration of the claims on the merits are hereby respectfully requested.

Respectfully submitted,

KENING LI
ATTORNEY FOR APPLICANTS
REGISTRATION NO. 44,872
TELEPHONE: (302) 992-3749
FACSIMILE: (302) 892-1026

Dated: 06/04/2001

TITLE

MEMBRANE-BOUND DESATURASES

This application claims the benefit of U.S. Provisional Application No. 60/110,784 filed December 3, 1998.

FIELD OF THE INVENTION

This invention is in the field of plant molecular biology. More specifically, this invention pertains to nucleic acid fragments encoding delta-6 desaturase or sphingolipid desaturase in plants and seeds.

BACKGROUND OF THE INVENTION

Polyunsaturated fatty acids are of major importance in animal health as they have roles in the maintenance of membrane structure and function, in the regulation of cholesterol synthesis and transport, in the prevention of water loss from the skin, and as precursors of eicosanoids, including prostaglandins and leucotrienes. In animals, members of this class of fatty acids are synthesized from the essential fatty acid linoleic acid (C18:2 $\Delta^{9,12}$), the first step being the desaturation to gamma-linolenic acid (GLA; C18:3 $\Delta^{6,9,12}$) catalyzed by delta-6 desaturase. Clinical trials have shown that dietary supplementation of GLA may be effective in treating a number of ailments (e.g., atopic eczema, mastalgia, diabetic neuropathy, viral infections, and some types of cancer) (Jiang et al. (1998) *Crit. Rev. Oncol. Hematol.* 27:179-209; Kruger, and Horrobin (1997) *Prog. Lipid Res.* 36:131-51). Oils containing GLA are therefore widely used as a general health supplement and have been registered for pharmaceutical use.

In the plant kingdom, GLA is an uncommon fatty acid. Major commercial sources of GLA are evening primroses (*Oenothera* spp.), in which GLA accounts for about 8 to 10% of the seed oil, and borage (starflower; *Borago officinalis*) wherein seeds contain some 20 to 25% GLA. These plants, however, suffer from poor agronomic performance and low yield. There is therefore considerable interest in increasing the GLA content of existing crops and in producing GLA in a conventional oil crop. Expression of a cDNA encoding the delta-6 fatty acid desaturase from developing seeds of borage in transgenic tobacco plants resulted in accumulation of GLA and octadecatetraenoic acid (C18:4 $\Delta^{6,9,12,15}$) to levels of 13.2% and 9.6% of the total fatty acids, respectively. The borage delta-6 fatty acid desaturase differs from other previously characterized higher plant desaturase enzymes by the presence of an N-terminal domain related to cytochrome b5 (Sayanova et al. (1997) *Proc. Natl. Acad. Sci. USA* 94:4211-4216). This desaturase does not appear to have an N-terminal cleavable endoplasmic reticulum-targeting signal, but the hydrophobic regions present in the protein would be sufficient to allow it to associate with the endomembrane system. A tripartite motif containing eight conserved histidines has been identified in almost all membrane desaturases (HX₍₃₋₄₎HX₍₇₋₄₁₎HX₍₂₋₃₎HHX₍₆₁₋₁₈₉₎HX₍₂₋₃₎HH). In *Anabaena* and borage delta-6 desaturase a glutamine residue replaces the first histidine of the third element.

Membrane and reserve lipids of plants contain fatty acids with different degrees of unsaturation which are controlled by different desaturase enzymes. A cDNA isolated from ripening sunflower embryos encodes a protein with the conserved three histidine domains characteristic of membrane-bound desaturases. This cDNA also encodes a fusion protein composed of an N-terminal cytochrome b5 and a domain similar to membrane-bound acyl lipid desaturases (Sperling et al. (1995) *Eur. J. Biochem.* 232:798-805). Expression of homologous cDNAs from *Brassica napus* and *Arabidopsis thaliana* in *Saccharomyces cerevisiae* results in significant proportions of new $\Delta^{8,9}$ -cis/trans-phytosphingenines that accompany the residual C₁₈-phytosphinganine predominating in wild-type yeast cells. These genes encode new members of the cytochrome b5 superfamily which function as a stereounselective sphingolipid desaturase and show trans-activity (Sperling et al. (1998) *J. Biol. Chem.* 273: 28590-28596).

The enzymes encoded by the picramnia cDNAs included in this application possibly catalyze the formation of a triple bond since picramnia seeds accumulate large amounts of tariric acid (18:1 delta-6-acetylenic), an unusual fatty acid that has a triple bond (or acetylenic bond) at the delta-6 carbon. Tariric acid has many of the same industrial uses ascribed to petroselenic acid, thus these cDNAs should be useful in the production of novel fatty acids in the seed oils of transgenic plants. Although with similarities to the delta-6 desaturase, the enzymes encoded by the corn, soybean, and wheat sequences described herein are sphingolipid desaturases since these plants do not produce delta 6 double bonds like picramnia and borage.

SUMMARY OF THE INVENTION

The present invention relates to isolated polynucleotides comprising a nucleotide sequence encoding a first polypeptide of at least 60 amino acids that has at least 55% identity based on the Clustal method of alignment when compared to a Florida bitterbush delta-6 desaturase polypeptide of SEQ ID NO:2, and an isolated polynucleotide comprising a nucleotide sequence encoding a first polypeptide of at least 114 amino acids that has at least 80% identity based on the Clustal method of alignment when compared to a polypeptide selected from the group consisting of a corn sphingolipid desaturase polypeptide of SEQ ID NO:4, a soybean sphingolipid desaturase polypeptide of SEQ ID NOs:6 and 8, a wheat sphingolipid desaturase polypeptide of SEQ ID NO:10 and SEQ ID NO:17. The present invention also relates to an isolated polynucleotide comprising the complement of the nucleotide sequences described above.

It is preferred that the isolated polynucleotides of the claimed invention consists of a nucleic acid sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16, that codes for the polypeptide selected from the group consisting of SEQ ID NOs:2, 4, 6, 8, and 17. The present invention also relates to an isolated polynucleotide comprising a nucleotide sequences of at least one of 60 (preferably at least one of 40, most preferably at

least one of 30) contiguous nucleotides derived from a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16, and the complement of such nucleotide sequences.

The present invention relates to a chimeric gene comprising an isolated polynucleotide of the present invention operably linked to suitable regulatory sequences.

The present invention relates to an isolated host cell comprising a chimeric gene of the present invention or an isolated polynucleotide of the present invention. The host cell may be eukaryotic, such as a yeast or a plant cell, or prokaryotic, such as a bacterial cell. The present invention also relates to a virus, preferably a baculovirus, comprising an isolated polynucleotide of the present invention or a chimeric gene of the present invention.

The present invention relates to a process for producing an isolated host cell comprising a chimeric gene of the present invention or an isolated polynucleotide of the present invention, the process comprising either transforming or transfecting an isolated compatible host cell with a chimeric gene or isolated polynucleotide of the present invention.

The present invention relates to a delta-6 desaturase polypeptide of at least 60 amino acids comprising at least 55% homology based on the Clustal method of alignment compared to the polypeptide of SEQ ID NO:2, or a sphingolipid desaturase polypeptide of at least 114 amino acids comprising at least 80% homology based on the Clustal method of alignment compared to a polypeptide selected from the group consisting of SEQ ID NOs:4, 6, 8, and 17.

The present invention relates to a method of selecting an isolated polynucleotide that affects the level of expression of a delta-6 desaturase or sphingolipid desaturase polypeptide in a host cell, preferably a plant cell, the method comprising the steps of:

(a) constructing an isolated polynucleotide of the present invention or an isolated chimeric gene of the present invention;

(b) introducing the isolated polynucleotide or the isolated chimeric gene into a host cell;

(c) measuring the level a delta-6 desaturase or sphingolipid desaturase polypeptide in the plant cell containing the isolated polynucleotide; and

(d) comparing the level of a delta-6 desaturase or sphingolipid desaturase polypeptide in the host cell containing the isolated polynucleotide with the level of a delta-6 desaturase or sphingolipid desaturase polypeptide in a host cell that does not contain the isolated polynucleotide.

The present invention relates to a method of obtaining a nucleic acid fragment encoding a substantial portion of a delta-6 desaturase or sphingolipid desaturase polypeptide gene, preferably a plant delta-6 desaturase or sphingolipid desaturase polypeptide gene, comprising the steps of: synthesizing an oligonucleotide primer comprising a nucleotide sequence of at least one of 40 (preferably at least one of 30) contiguous nucleotides derived

from a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16, and the complement of such nucleotide sequences; and amplifying a nucleic acid fragment (preferably a cDNA inserted in a cloning vector) using the oligonucleotide primer. The amplified nucleic acid fragment preferably will encode a portion of a delta-6 desaturase or sphingolipid desaturase amino acid sequence.

The present invention also relates to a method of obtaining a nucleic acid fragment encoding all or a substantial portion of the amino acid sequence encoding a delta-6 desaturase or sphingolipid desaturase polypeptide comprising the steps of: probing a cDNA or genomic library with an isolated polynucleotide of the present invention; identifying a DNA clone that hybridizes with an isolated polynucleotide of the present invention; isolating the identified DNA clone; and sequencing the cDNA or genomic fragment that comprises the isolated DNA clone.

The present invention also relates to a method for positive selection of a transformed cell comprising:

- (a) transforming a host cell with the chimeric gene of the present invention; and
- (b) growing the transformed host cell under conditions suitable for the expression of the chimeric gene allowing expression of the polynucleotide in an amount to alter the concentration of fatty acids with delta-6 double bonds in the host cell to provide a positive selection means.

The present invention also relates to the method of the present invention wherein the host cell is selected from the group consisting of plant cells and procaryotes.

The present invention also relates to the method of the present invention wherein levels of tariric acid are altered.

The present invention also relates to a method for positive selection of a transformed cell comprising:

- (a) transforming a plant cell with the chimeric gene of the present invention; and
- (b) growing a plant from the transformed plant cell of step (a) allowing expression of the polynucleotide in an amount to alter the concentration of fatty acids with delta-6 double bonds in the seeds of the plant to provide a positive selection means.

BRIEF DESCRIPTION OF THE DRAWINGS AND SEQUENCE DESCRIPTIONS

The invention can be more fully understood from the following detailed description and the accompanying drawings and Sequence Listing which form a part of this application.

Figure 1 shows a comparison of the amino acid sequences of the Florida bitterbush delta-6 desaturase from clone pps.pk0011.d5:fis (SEQ ID NO:2, denoted [SIN 2]), the soybean sphingolipid desaturase from clone ssl.pk0017.b4:fis (SEQ ID NO:8, denoted [SIN 8], the borage delta-6 desaturase having NCBI General Identification No. 2062403 (SEQ ID NO:11), corn sphingolipid desaturase from clone cdelc.pk001.o8:fis (SEQ ID

NO:4, denoted [SIN 4]), wheat sphingolipid desaturase from clone wre1.pk0004.c7: fis (SEQ ID NO:10, denoted [SIN 10].) wheat delta-6 desaturase-like protein having NCBI General Identifier No. 4104056 (SEQ ID NO:12), soybean sphingolipid desaturase from the contig assembled of clones sfl1.pk0012.c5 and sfl1.pk0031.d11 (SEQ ID NO:6, denoted [SIN 6]), and sunflower having NCBI General Identifier No. 1040729 (SEQ ID NO:13).

Table 1 lists the polypeptides that are described herein, the designation of the cDNA clones that comprise the nucleic acid fragments encoding polypeptides representing all or a substantial portion of these polypeptides, and the corresponding identifier (SEQ ID NO:) as used in the attached Sequence Listing. The sequence descriptions and Sequence Listing attached hereto comply with the rules governing nucleotide and/or amino acid sequence disclosures in patent applications as set forth in 37 C.F.R. §1.821-1.825.

TABLE 1
Delta-6 Desaturase or Sphingolipid Desaturase

Delta-6 Fatty Acid Desaturase	Clone Designation	SEQ ID NO:	
		(Nucleotide)	(Amino Acid)
Bitterbush-F1. [<i>Picramnia pentandra</i>]	pps.pk0011.d5: fis	1	2
Sphingolipid Desaturase	Clone Designation	SEQ ID NO:	
		(Nucleotide)	(Amino Acid)
Corn [<i>Zea mays</i>]	cde1c.pk001.o8: fis	3	4
Soybean [<i>Glycine max</i>]	Contig of: sfl1.pk0012.c5 sfl1.pk0031.d11	5	6
Soybean [<i>Glycine max</i>]	ssl.pk0017.b4: fis	7	8
Wheat [<i>Triticum aestivum</i>]	wre1.pk0004.c7: fis	9	10
Wheat [<i>Triticum aestivum</i>]	wre1.pk0004.c7	16	17

The Sequence Listing contains the one letter code for nucleotide sequence characters and the three letter codes for amino acids as defined in conformity with the IUPAC-IUBMB standards described in *Nucleic Acids Res.* 13:3021-3030 (1985) and in the *Biochemical J.* 219 (No. 2):345-373 (1984) which are herein incorporated by reference. The symbols and format used for nucleotide and amino acid sequence data comply with the rules set forth in 37 C.F.R. §1.822.

DETAILED DESCRIPTION OF THE INVENTION

In the context of this disclosure, a number of terms shall be utilized. As used herein, a "polynucleotide" is a nucleotide sequence such as a nucleic acid fragment. A polynucleotide may be a polymer of RNA or DNA that is single- or double-stranded, that optionally contains synthetic, non-natural or altered nucleotide bases. A polynucleotide in the form of

a polymer of DNA may be comprised of one or more segments of cDNA, genomic DNA, synthetic DNA, or mixtures thereof. An isolated polynucleotide of the present invention may include at least one of 60 contiguous nucleotides, preferably at least one of 40 contiguous nucleotides, most preferably one of at least 30 contiguous nucleotides, of the nucleic acid sequence of the SEQ ID NOs:1, 3, 5, 7, 9, 16, or the complement of such sequences.

As used herein, "contig" refers to a nucleotide sequence that is assembled from two or more constituent nucleotide sequences that share common or overlapping regions of sequence homology. For example, the nucleotide sequences of two or more nucleic acid fragments can be compared and aligned in order to identify common or overlapping sequences. Where common or overlapping sequences exist between two or more nucleic acid fragments, the sequences (and thus their corresponding nucleic acid fragments) can be assembled into a single contiguous nucleotide sequence.

As used herein, "substantially similar" refers to nucleic acid fragments wherein changes in one or more nucleotide bases results in substitution of one or more amino acids, but do not affect the functional properties of the polypeptide encoded by the nucleotide sequence. "Substantially similar" also refers to nucleic acid fragments wherein changes in one or more nucleotide bases does not affect the ability of the nucleic acid fragment to mediate alteration of gene expression by gene silencing through for example antisense or co-suppression technology. "Substantially similar" also refers to modifications of the nucleic acid fragments of the instant invention such as deletion or insertion of one or more nucleotides that do not substantially affect the functional properties of the resulting transcript vis-à-vis the ability to mediate gene silencing or alteration of the functional properties of the resulting protein molecule. It is therefore understood that the invention encompasses more than the specific exemplary nucleotide or amino acid sequences and includes functional equivalents thereof.

Substantially similar nucleic acid fragments may be selected by screening nucleic acid fragments representing subfragments or modifications of the nucleic acid fragments of the instant invention, wherein one or more nucleotides are substituted, deleted and/or inserted, for their ability to affect the level of the polypeptide encoded by the unmodified nucleic acid fragment in a plant or plant cell. For example, a substantially similar nucleic acid fragment representing at least one of 30 contiguous nucleotides derived from the instant nucleic acid fragment can be constructed and introduced into a plant or plant cell. The level of the polypeptide encoded by the unmodified nucleic acid fragment present in a plant or plant cell exposed to the substantially similar nucleic fragment can then be compared to the level of the polypeptide in a plant or plant cell that is not exposed to the substantially similar nucleic acid fragment.

For example, it is well known in the art that antisense suppression and co-suppression of gene expression may be accomplished using nucleic acid fragments representing less than the entire coding region of a gene, and by nucleic acid fragments that do not share 100% sequence identity with the gene to be suppressed. Moreover, alterations in a nucleic acid fragment which result in the production of a chemically equivalent amino acid at a given site, but do not effect the functional properties of the encoded polypeptide, are well known in the art. Thus, a codon for the amino acid alanine, a hydrophobic amino acid, may be substituted by a codon encoding another less hydrophobic residue, such as glycine, or a more hydrophobic residue, such as valine, leucine, or isoleucine. Similarly, changes which result in substitution of one negatively charged residue for another, such as aspartic acid for glutamic acid, or one positively charged residue for another, such as lysine for arginine, can also be expected to produce a functionally equivalent product. Nucleotide changes which result in alteration of the N-terminal and C-terminal portions of the polypeptide molecule would also not be expected to alter the activity of the polypeptide. Each of the proposed modifications is well within the routine skill in the art, as is determination of retention of biological activity of the encoded products. Consequently, an isolated polynucleotide comprising a nucleotide sequence of at least one of 60 (preferably at least one of 40, most preferably at least one of 30) contiguous nucleotides derived from a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16, and the complement of such nucleotide sequences may be used in methods of selecting an isolated polynucleotide that affects the expression of a polypeptide such as a delta-6 fatty acid desaturase and/or a sphingolipid desaturase in a host cell. A method of selecting an isolated polynucleotide that affects the level of expression of a polypeptide in a host cell (eukaryotic, such as plant or yeast, prokaryotic such as bacterial, or viral) may comprise the steps of: constructing an isolated polynucleotide of the present invention or an isolated chimeric gene of the present invention; introducing the isolated polynucleotide or the isolated chimeric gene into a host cell; measuring the level a polypeptide in the host cell containing the isolated polynucleotide; and comparing the level of a polypeptide in the host cell containing the isolated polynucleotide with the level of a polypeptide in a host cell that does not contain the isolated polynucleotide.

Moreover, substantially similar nucleic acid fragments may also be characterized by their ability to hybridize. Estimates of such homology are provided by either DNA-DNA or DNA-RNA hybridization under conditions of stringency as is well understood by those skilled in the art (Hames and Higgins, Eds. (1985) *Nucleic Acid Hybridisation*, IRL Press, Oxford, U.K.). Stringency conditions can be adjusted to screen for moderately similar fragments, such as homologous sequences from distantly related organisms, to highly similar fragments, such as genes that duplicate functional enzymes from closely related organisms. Post-hybridization washes determine stringency conditions. One set of preferred conditions

uses a series of washes starting with 6X SSC, 0.5% SDS at room temperature for 15 min, then repeated with 2X SSC, 0.5% SDS at 45°C for 30 min, and then repeated twice with 0.2X SSC, 0.5% SDS at 50°C for 30 min. A more preferred set of stringent conditions uses higher temperatures in which the washes are identical to those above except for the
5 temperature of the final two 30 min washes in 0.2X SSC, 0.5% SDS was increased to 60°C. Another preferred set of highly stringent conditions uses two final washes in 0.1X SSC, 0.1% SDS at 65°C.

Substantially similar nucleic acid fragments of the instant invention may also be characterized by the percent identity of the amino acid sequences that they encode to the
10 amino acid sequences disclosed herein, as determined by algorithms commonly employed by those skilled in this art. Suitable nucleic acid fragments (isolated polynucleotides of the present invention) encode polypeptides that are at least about 70% identical, preferably at least about 80% identical to the amino acid sequences reported herein. Preferred nucleic acid fragments encode amino acid sequences that are at least about 85% identical to the
15 amino acid sequences reported herein. More preferred nucleic acid fragments encode amino acid sequences that are at least about 90% identical to the amino acid sequences reported herein. Most preferred are nucleic acid fragments that encode amino acid sequences that are at least about 95% identical to the amino acid sequences reported herein. Suitable nucleic acid fragments not only have the above homologies but typically encode a polypeptide
20 having at least about 50 amino acids, preferably at least about 100 amino acids, more preferably at least about 150 amino acids, still more preferably at least about 200 amino acids, and most preferably at least about 250 amino acids. Sequence alignments and percent identity calculations were performed using the Megalign program of the LASERGENE bioinformatics computing suite (DNASTAR Inc., Madison, WI). Multiple alignment of the
25 sequences was performed using the Clustal method of alignment (Higgins and Sharp (1989) *CABIOS*. 5:151-153) with the default parameters (GAP PENALTY=10, GAP LENGTH PENALTY=10). Default parameters for pairwise alignments using the Clustal method were KTUPLE 1, GAP PENALTY=3, WINDOW=5 and DIAGONALS SAVED=5.

A "substantial portion" of an amino acid or nucleotide sequence comprises an amino
30 acid or a nucleotide sequence that is sufficient to afford putative identification of the protein or gene that the amino acid or nucleotide sequence comprises. Amino acid and nucleotide sequences can be evaluated either manually by one skilled in the art, or by using computer-based sequence comparison and identification tools that employ algorithms such as BLAST (Basic Local Alignment Search Tool; Altschul et al. (1993) *J. Mol. Biol.* 215:403-410; see
35 also www.ncbi.nlm.nih.gov/BLAST/). In general, a sequence of ten or more contiguous amino acids or thirty or more contiguous nucleotides is necessary in order to putatively identify a polypeptide or nucleic acid sequence as homologous to a known protein or gene. Moreover, with respect to nucleotide sequences, gene-specific oligonucleotide probes

comprising 30 or more contiguous nucleotides may be used in sequence-dependent methods of gene identification (e.g., Southern hybridization) and isolation (e.g., *in situ* hybridization of bacterial colonies or bacteriophage plaques). In addition, short oligonucleotides of 12 or more nucleotides may be used as amplification primers in PCR in order to obtain a particular

5 nucleic acid fragment comprising the primers. Accordingly, a "substantial portion" of a nucleotide sequence comprises a nucleotide sequence that will afford specific identification and/or isolation of a nucleic acid fragment comprising the sequence. The instant specification teaches amino acid and nucleotide sequences encoding polypeptides that comprise one or more particular plant proteins. The skilled artisan, having the benefit of the

10 sequences as reported herein, may now use all or a substantial portion of the disclosed sequences for purposes known to those skilled in this art. Accordingly, the instant invention comprises the complete sequences as reported in the accompanying Sequence Listing, as well as substantial portions of those sequences as defined above.

"Codon degeneracy" refers to divergence in the genetic code permitting variation of

15 the nucleotide sequence without effecting the amino acid sequence of an encoded polypeptide. Accordingly, the instant invention relates to any nucleic acid fragment comprising a nucleotide sequence that encodes all or a substantial portion of the amino acid sequences set forth herein. The skilled artisan is well aware of the "codon-bias" exhibited by a specific host cell in usage of nucleotide codons to specify a given amino acid.

20 Therefore, when synthesizing a nucleic acid fragment for improved expression in a host cell, it is desirable to design the nucleic acid fragment such that its frequency of codon usage approaches the frequency of preferred codon usage of the host cell.

"Synthetic nucleic acid fragments" can be assembled from oligonucleotide building blocks that are chemically synthesized using procedures known to those skilled in the art.

25 These building blocks are ligated and annealed to form larger nucleic acid fragments which may then be enzymatically assembled to construct the entire desired nucleic acid fragment. "Chemically synthesized", as related to nucleic acid fragment, means that the component nucleotides were assembled *in vitro*. Manual chemical synthesis of nucleic acid fragments may be accomplished using well established procedures, or automated chemical synthesis

30 can be performed using one of a number of commercially available machines. Accordingly, the nucleic acid fragments can be tailored for optimal gene expression based on optimization of nucleotide sequence to reflect the codon bias of the host cell. The skilled artisan appreciates the likelihood of successful gene expression if codon usage is biased towards those codons favored by the host. Determination of preferred codons can be based on a

35 survey of genes derived from the host cell where sequence information is available.

"Gene" refers to a nucleic acid fragment that expresses a specific protein, including regulatory sequences preceding (5' non-coding sequences) and following (3' non-coding sequences) the coding sequence. "Native gene" refers to a gene as found in nature with its

own regulatory sequences. "Chimeric gene" refers any gene that is not a native gene, comprising regulatory and coding sequences that are not found together in nature.

Accordingly, a chimeric gene may comprise regulatory sequences and coding sequences that are derived from different sources, or regulatory sequences and coding sequences derived
5 from the same source, but arranged in a manner different than that found in nature.

"Endogenous gene" refers to a native gene in its natural location in the genome of an organism. A "foreign" gene refers to a gene not normally found in the host organism, but that is introduced into the host organism by gene transfer. Foreign genes can comprise native genes inserted into a non-native organism, or chimeric genes. A "transgene" is a gene
10 that has been introduced into the genome by a transformation procedure.

"Coding sequence" refers to a nucleotide sequence that codes for a specific amino acid sequence. "Regulatory sequences" refer to nucleotide sequences located upstream (5' non-coding sequences), within, or downstream (3' non-coding sequences) of a coding sequence, and which influence the transcription, RNA processing or stability, or translation of the
15 associated coding sequence. Regulatory sequences may include promoters, translation leader sequences, introns, and polyadenylation recognition sequences.

"Promoter" refers to a nucleotide sequence capable of controlling the expression of a coding sequence or functional RNA. In general, a coding sequence is located 3' to a promoter sequence. The promoter sequence consists of proximal and more distal upstream
20 elements, the latter elements often referred to as enhancers. Accordingly, an "enhancer" is a nucleotide sequence which can stimulate promoter activity and may be an innate element of the promoter or a heterologous element inserted to enhance the level or tissue-specificity of a promoter. Promoters may be derived in their entirety from a native gene, or be composed of different elements derived from different promoters found in nature, or even comprise
25 synthetic nucleotide segments. It is understood by those skilled in the art that different promoters may direct the expression of a gene in different tissues or cell types, or at different stages of development, or in response to different environmental conditions. Promoters which cause a nucleic acid fragment to be expressed in most cell types at most times are commonly referred to as "constitutive promoters". New promoters of various
30 types useful in plant cells are constantly being discovered; numerous examples may be found in the compilation by Okamuro and Goldberg (1989) *Biochemistry of Plants* 15:1-82. It is further recognized that since in most cases the exact boundaries of regulatory sequences have not been completely defined, nucleic acid fragments of different lengths may have identical promoter activity.

35 The "translation leader sequence" refers to a nucleotide sequence located between the promoter sequence of a gene and the coding sequence. The translation leader sequence is present in the fully processed mRNA upstream of the translation start sequence. The translation leader sequence may affect processing of the primary transcript to mRNA,

mRNA stability or translation efficiency. Examples of translation leader sequences have been described (Turner and Foster (1995) *Mol. Biotechnol.* 3:225-236).

The "3' non-coding sequences" refer to nucleotide sequences located downstream of a coding sequence and include polyadenylation recognition sequences and other sequences encoding regulatory signals capable of affecting mRNA processing or gene expression. The polyadenylation signal is usually characterized by affecting the addition of polyadenylic acid tracts to the 3' end of the mRNA precursor. The use of different 3' non-coding sequences is exemplified by Ingelbrecht et al. (1989) *Plant Cell* 1:671-680.

"RNA transcript" refers to the product resulting from RNA polymerase-catalyzed transcription of a DNA sequence. When the RNA transcript is a perfect complementary copy of the DNA sequence, it is referred to as the primary transcript or it may be a RNA sequence derived from posttranscriptional processing of the primary transcript and is referred to as the mature RNA. "Messenger RNA (mRNA)" refers to the RNA that is without introns and that can be translated into polypeptide by the cell. "cDNA" refers to a double-stranded DNA that is complementary to and derived from mRNA. "Sense" RNA refers to an RNA transcript that includes the mRNA and so can be translated into a polypeptide by the cell. "Antisense RNA" refers to an RNA transcript that is complementary to all or part of a target primary transcript or mRNA and that blocks the expression of a target gene (see U.S. Patent No. 5,107,065, incorporated herein by reference). The complementarity of an antisense RNA may be with any part of the specific nucleotide sequence, i.e., at the 5' non-coding sequence, 3' non-coding sequence, introns, or the coding sequence. "Functional RNA" refers to sense RNA, antisense RNA, ribozyme RNA, or other RNA that may not be translated but yet has an effect on cellular processes.

The term "operably linked" refers to the association of two or more nucleic acid fragments on a single nucleic acid fragment so that the function of one is affected by the other. For example, a promoter is operably linked with a coding sequence when it is capable of affecting the expression of that coding sequence (i.e., that the coding sequence is under the transcriptional control of the promoter). Coding sequences can be operably linked to regulatory sequences in sense or antisense orientation.

The term "expression", as used herein, refers to the transcription and stable accumulation of sense (mRNA) or antisense RNA derived from the nucleic acid fragment of the invention. Expression may also refer to translation of mRNA into a polypeptide. "Antisense inhibition" refers to the production of antisense RNA transcripts capable of suppressing the expression of the target protein. "Overexpression" refers to the production of a gene product in transgenic organisms that exceeds levels of production in normal or non-transformed organisms. "Co-suppression" refers to the production of sense RNA transcripts capable of suppressing the expression of identical or substantially similar foreign or endogenous genes (U.S. Patent No. 5,231,020, incorporated herein by reference).

"Altered levels" refers to the production of gene product(s) in transgenic organisms in amounts or proportions that differ from that of normal or non-transformed organisms.

"Mature" protein refers to a post-translationally processed polypeptide; i.e., one from which any pre- or propeptides present in the primary translation product have been removed.

5 "Precursor" protein refers to the primary product of translation of mRNA; i.e., with pre- and propeptides still present. Pre- and propeptides may be but are not limited to intracellular localization signals.

10 A "chloroplast transit peptide" is an amino acid sequence which is translated in conjunction with a protein and directs the protein to the chloroplast or other plastid types present in the cell in which the protein is made. "Chloroplast transit sequence" refers to a nucleotide sequence that encodes a chloroplast transit peptide. A "signal peptide" is an amino acid sequence which is translated in conjunction with a protein and directs the protein to the secretory system (Chrispeels (1991) *Ann. Rev. Plant Phys. Plant Mol. Biol.* 42:21-53). If the protein is to be directed to a vacuole, a vacuolar targeting signal (*supra*) can further be added, or if to the endoplasmic reticulum, an endoplasmic reticulum retention signal (*supra*) may be added. If the protein is to be directed to the nucleus, any signal peptide present
15 should be removed and instead a nuclear localization signal included (Raikhel (1992) *Plant Phys.* 100:1627-1632).

20 "Transformation" refers to the transfer of a nucleic acid fragment into the genome of a host organism, resulting in genetically stable inheritance. Host organisms containing the transformed nucleic acid fragments are referred to as "transgenic" organisms. Examples of methods of plant transformation include *Agrobacterium*-mediated transformation (De Blaere et al. (1987) *Meth. Enzymol.* 143:277) and particle-accelerated or "gene gun" transformation technology (Klein et al. (1987) *Nature (London)* 327:70-73; U.S. Patent No. 4,945,050, incorporated herein by reference).

25 Standard recombinant DNA and molecular cloning techniques used herein are well known in the art and are described more fully in Sambrook et al. *Molecular Cloning: A Laboratory Manual*; Cold Spring Harbor Laboratory Press: Cold Spring Harbor, 1989 (hereinafter "Maniatis").

30 Nucleic acid fragments encoding at least a portion of several delta-6 desaturase or sphingolipid desaturase have been isolated and identified by comparison of random plant cDNA sequences to public databases containing nucleotide and protein sequences using the BLAST algorithms well known to those skilled in the art. The nucleic acid fragments of the instant invention may be used to isolate cDNAs and genes encoding homologous proteins
35 from the same or other plant species. Isolation of homologous genes using sequence-dependent protocols is well known in the art. Examples of sequence-dependent protocols include, but are not limited to, methods of nucleic acid hybridization, and methods of DNA

and RNA amplification as exemplified by various uses of nucleic acid amplification technologies (e.g., polymerase chain reaction, ligase chain reaction).

For example, genes encoding other delta-6 desaturase or sphingolipid desaturases, either as cDNAs or genomic DNAs, could be isolated directly by using all or a portion of the instant nucleic acid fragments as DNA hybridization probes to screen libraries from any desired plant employing methodology well known to those skilled in the art. Specific oligonucleotide probes based upon the instant nucleic acid sequences can be designed and synthesized by methods known in the art (Maniatis). Moreover, the entire sequences can be used directly to synthesize DNA probes by methods known to the skilled artisan such as random primer DNA labeling, nick translation, or end-labeling techniques, or RNA probes using available *in vitro* transcription systems. In addition, specific primers can be designed and used to amplify a part or all of the instant sequences. The resulting amplification products can be labeled directly during amplification reactions or labeled after amplification reactions, and used as probes to isolate full length cDNA or genomic fragments under conditions of appropriate stringency.

In addition, two short segments of the instant nucleic acid fragments may be used in polymerase chain reaction protocols to amplify longer nucleic acid fragments encoding homologous genes from DNA or RNA. The polymerase chain reaction may also be performed on a library of cloned nucleic acid fragments wherein the sequence of one primer is derived from the instant nucleic acid fragments, and the sequence of the other primer takes advantage of the presence of the polyadenylic acid tracts to the 3' end of the mRNA precursor encoding plant genes. Alternatively, the second primer sequence may be based upon sequences derived from the cloning vector. For example, the skilled artisan can follow the RACE protocol (Frohman et al. (1988) *Proc. Natl. Acad. Sci. USA* 85:8998-9002) to generate cDNAs by using PCR to amplify copies of the region between a single point in the transcript and the 3' or 5' end. Primers oriented in the 3' and 5' directions can be designed from the instant sequences. Using commercially available 3' RACE or 5' RACE systems (BRL), specific 3' or 5' cDNA fragments can be isolated (Ohara et al. (1989) *Proc. Natl. Acad. Sci. USA* 86:5673-5677; Loh et al. (1989) *Science* 243:217-220). Products generated by the 3' and 5' RACE procedures can be combined to generate full-length cDNAs (Frohman, and Martin (1989) *Techniques* 1:165). Consequently, a polynucleotide comprising a nucleotide sequence of at least one of 60 (preferably one of at least 40, most preferably one of at least 30) contiguous nucleotides derived from a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16 and the complement of such nucleotide sequences may be used in such methods to obtain a nucleic acid fragment encoding a substantial portion of an amino acid sequence of a polypeptide. The present invention relates to a method of obtaining a nucleic acid fragment encoding a substantial portion of a polypeptide of a gene (such as delta-6 desaturase or sphingolipid desaturase) preferably a

substantial portion of a plant polypeptide of a gene, comprising the steps of: synthesizing an oligonucleotide primer comprising a nucleotide sequence of at least one of 60 (preferably at least one of 40, most preferably at least one of 30) contiguous nucleotides derived from a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16, and the complement of such nucleotide sequences; and amplifying a nucleic acid fragment (preferably a cDNA inserted in a cloning vector) using the oligonucleotide primer. The amplified nucleic acid fragment preferably will encode a portion of a polypeptide.

Availability of the instant nucleotide and deduced amino acid sequences facilitates immunological screening of cDNA expression libraries. Synthetic peptides representing portions of the instant amino acid sequences may be synthesized. These peptides can be used to immunize animals to produce polyclonal or monoclonal antibodies with specificity for peptides or proteins comprising the amino acid sequences. These antibodies can be then be used to screen cDNA expression libraries to isolate full-length cDNA clones of interest (Lerner (1984) *Adv. Immunol.* 36:1-34; Maniatis).

The nucleic acid fragments of the instant invention may be used to create transgenic plants in which the disclosed polypeptides are present at higher or lower levels than normal or in cell types or developmental stages in which they are not normally found. This would have the effect of altering the composition of fatty acids in those cells. Overexpression of delta-6 desaturase may allow the production of higher levels of tariric acid in *Picramnia*. Co-suppression of sphingolipid desaturase may allow for the production of higher levels of unsaturated corn and soybean oils.

Overexpression of the proteins of the instant invention may be accomplished by first constructing a chimeric gene in which the coding region is operably linked to a promoter capable of directing expression of a gene in the desired tissues at the desired stage of development. For reasons of convenience, the chimeric gene may comprise promoter sequences and translation leader sequences derived from the same genes. 3' Non-coding sequences encoding transcription termination signals may also be provided. The instant chimeric gene may also comprise one or more introns in order to facilitate gene expression.

Plasmid vectors comprising the instant chimeric gene can then be constructed. The choice of plasmid vector is dependent upon the method that will be used to transform host plants. The skilled artisan is well aware of the genetic elements that must be present on the plasmid vector in order to successfully transform, select and propagate host cells containing the chimeric gene. The skilled artisan will also recognize that different independent transformation events will result in different levels and patterns of expression (Jones et al. (1985) *EMBO J.* 4:2411-2418; De Almeida et al. (1989) *Mol. Gen. Genetics* 218:78-86), and thus that multiple events must be screened in order to obtain lines displaying the desired expression level and pattern. Such screening may be accomplished by Southern analysis of

DNA. Northern analysis of mRNA expression, Western analysis of protein expression, or phenotypic analysis.

For some applications it may be useful to direct the instant polypeptides to different cellular compartments, or to facilitate its secretion from the cell. It is thus envisioned that the chimeric gene described above may be further supplemented by altering the coding sequence to encode the instant polypeptides with appropriate intracellular targeting sequences such as transit sequences (Keegstra (1989) *Cell* 56:247-253), signal sequences or sequences encoding endoplasmic reticulum localization (Chrispeels (1991) *Ann. Rev. Plant Phys. Plant Mol. Biol.* 42:21-53), or nuclear localization signals (Raikhel (1992) *Plant Phys.* 100:1627-1632) added and/or with targeting sequences that are already present removed. While the references cited give examples of each of these, the list is not exhaustive and more targeting signals of utility may be discovered in the future.

It may also be desirable to reduce or eliminate expression of genes encoding the instant polypeptides in plants for some applications. In order to accomplish this, a chimeric gene designed for co-suppression of the instant polypeptide can be constructed by linking a gene or gene fragment encoding that polypeptide to plant promoter sequences. Alternatively, a chimeric gene designed to express antisense RNA for all or part of the instant nucleic acid fragment can be constructed by linking the gene or gene fragment in reverse orientation to plant promoter sequences. Either the co-suppression or antisense chimeric genes could be introduced into plants via transformation wherein expression of the corresponding endogenous genes are reduced or eliminated.

Molecular genetic solutions to the generation of plants with altered gene expression have a decided advantage over more traditional plant breeding approaches. Changes in plant phenotypes can be produced by specifically inhibiting expression of one or more genes by antisense inhibition or cosuppression (U.S. Patent Nos. 5,190,931, 5,107,065 and 5,283,323). An antisense or cosuppression construct would act as a dominant negative regulator of gene activity. While conventional mutations can yield negative regulation of gene activity these effects are most likely recessive. The dominant negative regulation available with a transgenic approach may be advantageous from a breeding perspective. In addition, the ability to restrict the expression of specific phenotype to the reproductive tissues of the plant by the use of tissue specific promoters may confer agronomic advantages relative to conventional mutations which may have an effect in all tissues in which a mutant gene is ordinarily expressed.

The person skilled in the art will know that special considerations are associated with the use of antisense or cosuppression technologies in order to reduce expression of particular genes. For example, the proper level of expression of sense or antisense genes may require the use of different chimeric genes utilizing different regulatory elements known to the skilled artisan. Once transgenic plants are obtained by one of the methods described above,

it will be necessary to screen individual transgenics for those that most effectively display the desired phenotype. The nature of these screens will generally be chosen on practical grounds, and is not an inherent part of the invention. For example, one can screen by looking for changes in gene expression by using antibodies specific for the protein encoded by the gene being suppressed, or one could establish assays that specifically measure enzyme activity. A preferred method will be one which allows large numbers of samples to be processed rapidly, since it will be expected that a large number of transformants will be negative for the desired phenotype.

The instant polypeptides (or portions thereof) may be produced in heterologous host cells, particularly in the cells of microbial hosts, and can be used to prepare antibodies to these proteins by methods well known to those skilled in the art. The antibodies are useful for detecting the polypeptides of the instant invention *in situ* in cells or *in vitro* in cell extracts. Preferred heterologous host cells for production of the instant polypeptides are microbial hosts. Microbial expression systems and expression vectors containing regulatory sequences that direct high level expression of foreign proteins are well known to those skilled in the art. Any of these could be used to construct a chimeric gene for production of the instant polypeptides. This chimeric gene could then be introduced into appropriate microorganisms via transformation to provide high level expression of the encoded delta-6 desaturase or sphingolipid desaturase. An example of a vector for high level expression of the instant polypeptides in a bacterial host is provided (Example 7).

All or a substantial portion of the nucleic acid fragments of the instant invention may also be used as probes for genetically and physically mapping the genes that they are a part of, and as markers for traits linked to those genes. Such information may be useful in plant breeding in order to develop lines with desired phenotypes. For example, the instant nucleic acid fragments may be used as restriction fragment length polymorphism (RFLP) markers. Southern blots (Maniatis) of restriction-digested plant genomic DNA may be probed with the nucleic acid fragments of the instant invention. The resulting banding patterns may then be subjected to genetic analyses using computer programs such as MapMaker (Lander et al. (1987) *Genomics* 1:174-181) in order to construct a genetic map. In addition, the nucleic acid fragments of the instant invention may be used to probe Southern blots containing restriction endonuclease-treated genomic DNAs of a set of individuals representing parent and progeny of a defined genetic cross. Segregation of the DNA polymorphisms is noted and used to calculate the position of the instant nucleic acid sequence in the genetic map previously obtained using this population (Botstein et al. (1980) *Am. J. Hum. Genet.* 32:314-331).

The production and use of plant gene-derived probes for use in genetic mapping is described in Bernatzky and Tanksley (1986) *Plant Mol. Biol. Reporter* 4:37-41. Numerous publications describe genetic mapping of specific cDNA clones using the methodology

outlined above or variations thereof. For example, F2 intercross populations, backcross populations, randomly mated populations, near isogenic lines, and other sets of individuals may be used for mapping. Such methodologies are well known to those skilled in the art.

Nucleic acid probes derived from the instant nucleic acid sequences may also be used
5 for physical mapping (i.e., placement of sequences on physical maps; *see* Hoheisel et al. In: *Nonmammalian Genomic Analysis: A Practical Guide*, Academic press 1996, pp. 319-346, and references cited therein).

In another embodiment, nucleic acid probes derived from the instant nucleic acid sequences may be used in direct fluorescence *in situ* hybridization (FISH) mapping (Trask
10 (1991) *Trends Genet.* 7:149-154). Although current methods of FISH mapping favor use of large clones (several to several hundred KB; *see* Laan et al. (1995) *Genome Res.* 5:13-20), improvements in sensitivity may allow performance of FISH mapping using shorter probes.

A variety of nucleic acid amplification-based methods of genetic and physical mapping may be carried out using the instant nucleic acid sequences. Examples include
15 allele-specific amplification (Kazazian (1989) *J. Lab. Clin. Med.* 11:95-96), polymorphism of PCR-amplified fragments (CAPS; Sheffield et al. (1993) *Genomics* 16:325-332), allele-specific ligation (Landegren et al. (1988) *Science* 241:1077-1080), nucleotide extension reactions (Sokolov (1990) *Nucleic Acid Res.* 18:3671), Radiation Hybrid Mapping (Walter et al. (1997) *Nat. Genet.* 7:22-28) and Happy Mapping (Dear and Cook (1989) *Nucleic Acid*
20 *Res.* 17:6795-6807). For these methods, the sequence of a nucleic acid fragment is used to design and produce primer pairs for use in the amplification reaction or in primer extension reactions. The design of such primers is well known to those skilled in the art. In methods employing PCR-based genetic mapping, it may be necessary to identify DNA sequence differences between the parents of the mapping cross in the region corresponding to the
25 instant nucleic acid sequence. This, however, is generally not necessary for mapping methods.

Loss of function mutant phenotypes may be identified for the instant cDNA clones either by targeted gene disruption protocols or by identifying specific mutants for these genes contained in a maize population carrying mutations in all possible genes (Ballinger
30 and Benzer (1989) *Proc. Natl. Acad. Sci USA* 86:9402-9406; Koes et al. (1995) *Proc. Natl. Acad. Sci USA* 92:8149-8153; Bensen et al. (1995) *Plant Cell* 7:75-84). The latter approach may be accomplished in two ways. First, short segments of the instant nucleic acid fragments may be used in polymerase chain reaction protocols in conjunction with a mutation tag sequence primer on DNAs prepared from a population of plants in which
35 Mutator transposons or some other mutation-causing DNA element has been introduced (*see* Bensen, *supra*). The amplification of a specific DNA fragment with these primers indicates the insertion of the mutation tag element in or near the plant gene encoding the instant polypeptides. Alternatively, the instant nucleic acid fragment may be used as a

hybridization probe against PCR amplification products generated from the mutation population using the mutation tag sequence primer in conjunction with an arbitrary genomic site primer, such as that for a restriction enzyme site-anchored synthetic adaptor. With either method, a plant containing a mutation in the endogenous gene encoding the instant polypeptides can be identified and obtained. This mutant plant can then be used to determine or confirm the natural function of the instant polypeptides disclosed herein.

EXAMPLES

The present invention is further defined in the following Examples, in which all parts and percentages are by weight and degrees are Celsius, unless otherwise stated. It should be understood that these Examples, while indicating preferred embodiments of the invention, are given by way of illustration only. From the above discussion and these Examples, one skilled in the art can ascertain the essential characteristics of this invention, and without departing from the spirit and scope thereof, can make various changes and modifications of the invention to adapt it to various usages and conditions.

EXAMPLE 1

Composition of cDNA Libraries: Isolation and Sequencing of cDNA Clones

cDNA libraries representing mRNAs from various Florida bitterbush, corn, soybean, and wheat tissues were prepared. The characteristics of the libraries are described below.

TABLE 2

cDNA Libraries from Florida Bitterbush, Corn, Soybean, and Wheat

Library	Tissue	Clone
pps	Developing Seeds of <i>Picramnia pentandra</i> (Florida bitterbush)	pps.pk0011.d5:fis
cde1c	Corn (<i>Zea mays</i> , B13) Developing Embryo 20 DAP	cde1c.pk001.08:fis
sfl1	Soybean Immature Flower	sfl1.pk0031.d11
ssl	Soybean Seedling 5-10 Days After Germination	ssl.pk0017.b4:fis
wre1	Wheat Root From 7 Day Old Etiolated Seedling	wre1.pk0004.c7:fis

cDNA libraries may be prepared by any one of many methods available. For example, the cDNAs may be introduced into plasmid vectors by first preparing the cDNA libraries in Uni-ZAP™ XR vectors according to the manufacturer's protocol (Stratagene Cloning Systems, La Jolla, CA). The Uni-ZAP™ XR libraries are converted into plasmid libraries according to the protocol provided by Stratagene. Upon conversion, cDNA inserts will be contained in the plasmid vector pBluescript. In addition, the cDNAs may be introduced directly into precut Bluescript II SK(+) vectors (Stratagene) using T4 DNA ligase (New England Biolabs), followed by transfection into DH10B cells according to the manufacturer's protocol (GIBCO BRL Products). Once the cDNA inserts are in plasmid

vectors, plasmid DNAs are prepared from randomly picked bacterial colonies containing recombinant pBluescript plasmids, or the insert cDNA sequences are amplified via polymerase chain reaction using primers specific for vector sequences flanking the inserted cDNA sequences. Amplified insert DNAs or plasmid DNAs are sequenced in dye-primer sequencing reactions to generate partial cDNA sequences (expressed sequence tags or "ESTs"; see Adams et al., (1991) *Science* 252:1651-1656). The resulting ESTs are analyzed using a Perkin Elmer Model 377 fluorescent sequencer.

EXAMPLE 2

Identification of cDNA Clones

cDNA clones encoding delta-6 desaturase or sphingolipid desaturase were identified by conducting BLAST (Basic Local Alignment Search Tool; Altschul et al. (1993) *J. Mol. Biol.* 215:403-410; see also www.ncbi.nlm.nih.gov/BLAST/) searches for similarity to sequences contained in the BLAST "nr" database (comprising all non-redundant GenBank CDS translations, sequences derived from the 3-dimensional structure Brookhaven Protein Data Bank, the last major release of the SWISS-PROT protein sequence database, EMBL, and DDBJ databases). The cDNA sequences obtained in Example 1 were analyzed for similarity to all publicly available DNA sequences contained in the "nr" database using the BLASTN algorithm provided by the National Center for Biotechnology Information (NCBI). The DNA sequences were translated in all reading frames and compared for similarity to all publicly available protein sequences contained in the "nr" database using the BLASTX algorithm (Gish and States (1993) *Nat. Genet.* 3:266-272) provided by the NCBI. For convenience, the P-value (probability) of observing a match of a cDNA sequence to a sequence contained in the searched databases merely by chance as calculated by BLAST are reported herein as "pLog" values, which represent the negative of the logarithm of the reported P-value. Accordingly, the greater the pLog value, the greater the likelihood that the cDNA sequence and the BLAST "hit" represent homologous proteins.

EXAMPLE 3

Characterization of cDNA Clones Encoding Delta-6 Desaturase

The BLASTX search using the EST sequences from clones listed in Table 3 revealed similarity of the polypeptides encoded by the cDNAs to delta-6 desaturase from borage [*Borago officinalis*] (NCBI General Identifier No. 2062403). Shown in Table 3 are the BLAST results for the sequences of the entire cDNA inserts comprising the indicated cDNA clones ("FIS"):

TABLE 3
BLAST Results for Sequences Encoding Polypeptides
Homologous to Delta-6 Desaturase

Clone	Status	BLAST pLog Score 2062403
pps.pk0011.d5:fis	FIS	132.00

Sequence alignments and percent identity calculations were performed using the Megalign program of the LASERGENE bioinformatics computing suite (DNASTAR Inc., Madison, WI). Multiple alignment of the sequences was performed using the Clustal method of alignment (Higgins and Sharp (1989) *CABIOS*, 5:151-153) with the default parameters (GAP PENALTY=10, GAP LENGTH PENALTY=10). Default parameters for pairwise alignments using the Clustal method were KTUPLE 1, GAP PENALTY=3, WINDOW=5 and DIAGONALS SAVED=5. Sequence alignments and BLAST scores and probabilities indicate that the nucleic acid fragments comprising the instant cDNA clones encode a substantial portion of a delta-6 desaturase. These sequences represent the first *Picramnia pentandra* sequences encoding delta-6 desaturase.

EXAMPLE 4

Characterization of cDNA Clones Encoding Sphingolipid Desaturase

The BLASTX search using the EST sequences from clones listed in Table 4 revealed similarity of the polypeptides encoded by the cDNAs to sphingolipid desaturase from borage [*Borago officinalis*] (NCBI General Identifier No. 2062403), wheat [*Triticum aestivum*] (NCBI General Identifier No. 4104056), and sunflower [*Helianthus annuus*] (NCBI General Identifier No. 1040729). Shown in Table 4 are the BLAST results for the sequences of the entire cDNA inserts comprising the indicated cDNA clones ("FIS"), or contigs assembled from two or more ESTs ("Contig"):

TABLE 4
BLAST Results for Sequences Encoding Polypeptides
Homologous to Sphingolipid Desaturase

Clone	Status	NCBI General Identifier No.	BLAST pLog Score
ssl.pk0017.b4:fis	FIS	2062403	254.00
cde1c.pk001.o8:fis	FIS	4104056	254.00
wrel.pk0004.c7:fis	FIS	4104056	254.00
sfl1.pk0012.c5	Contig	1040729	88.00
sfl1.pk0031.d11			

Figure 1 presents an alignment of the amino acid sequences set forth in SEQ ID NOs:2, 4, 6, 8, and 10 and the borage sequence (SEQ ID NO:11), wheat sequence (SEQ ID

NO:12), and sunflower sequence (SEQ ID NO:13). The data in Table 5 represents a calculation of the percent identity of the amino acid sequences set forth in SEQ ID NOs:2, 4, 6, 8, and 10, and the borage sequence (NCBI General Identifier No. 2062403, SEQ ID NO:11), wheat sequence (NCBI General Identifier No. 4104056, SEQ ID NO:12), and sunflower sequence (NCBI General Identifier No. 1040729, SEQ ID NO:13). The data in Table 5 represents a calculation of the percent identity of the amino acid sequence set forth in SEQ ID NOs:2, 4, 6, 8, and 10 and the delta 6 desaturase borage sequence (SEQ ID NO:11) and the wheat and sunflower sphingolipid desaturases (SEQ ID NOs:12 and 13, respectively).

TABLE 5

Percent Identity of Amino Acid Sequences Deduced From the Nucleotide Sequences of cDNA Clones Encoding Polypeptides Homologous to Delta-6 Desaturase and Sphingolipid Desaturase

SEQ ID NO.	Percent Identity to		
	2062403	4104056	1040729
2	54.0	49.2	51.4
8	62.7	55.2	70.3
4	54.0	79.5	53.7
10	54.0	99.8	53.5
6	49.8	48.6	53.0

The wheat sequence that is a virtual match to SEQ ID NO:10 was deposited into NCBI on January 29, 1999, almost two months after the priority date of the provisional filing of the present application. Therefore the wheat sequence that is claimed herein is the EST filed in the provisional application (herein labeled SEQ ID NO:17) that is comprised of amino acids 17-130 in SEQ ID NO:10.

Sequence alignments and percent identity calculations were performed using the Megalign program of the LASERGENE bioinformatics computing suite (DNASTAR Inc., Madison, WI). Multiple alignment of the sequences was performed using the Clustal method of alignment (Higgins and Sharp (1989) *CABIOS*. 5:151-153) with the default parameters (GAP PENALTY=10, GAP LENGTH PENALTY=10). Default parameters for pairwise alignments using the Clustal method were KTUPLE 1, GAP PENALTY=3, WINDOW=5 and DIAGONALS SAVED=5. Sequence alignments and BLAST scores and probabilities indicate that the nucleic acid fragments comprising the instant cDNA clones encode a substantial portion of a sphingolipid desaturase. These sequences represent the first monocot and first soybean sequences encoding sphingolipid desaturase.

EXAMPLE 5Expression of Chimeric Genes in Monocot Cells

A chimeric gene comprising a cDNA encoding the instant polypeptides in sense orientation with respect to the maize 27 kD zein promoter that is located 5' to the cDNA fragment, and the 10 kD zein 3' end that is located 3' to the cDNA fragment, can be constructed. The cDNA fragment of this gene may be generated by polymerase chain reaction (PCR) of the cDNA clone using appropriate oligonucleotide primers. Cloning sites (NcoI or SmaI) can be incorporated into the oligonucleotides to provide proper orientation of the DNA fragment when inserted into the digested vector pML103 as described below.

Amplification is then performed in a standard PCR. The amplified DNA is then digested with restriction enzymes NcoI and SmaI and fractionated on an agarose gel. The appropriate band can be isolated from the gel and combined with a 4.9 kb NcoI-SmaI fragment of the plasmid pML103. Plasmid pML103 has been deposited under the terms of the Budapest Treaty at ATCC (American Type Culture Collection, 10801 University Blvd., Manassas, VA 20110-2209), and bears accession number ATCC 97366. The DNA segment from pML103 contains a 1.05 kb SmaI-NcoI promoter fragment of the maize 27 kD zein gene and a 0.96 kb SmaI-SmaI fragment from the 3' end of the maize 10 kD zein gene in the vector pGem9Zf(+) (Promega). Vector and insert DNA can be ligated at 15°C overnight, essentially as described (Maniatis). The ligated DNA may then be used to transform *E. coli* XL1-Blue (Epicurian Coli XL-1 Blue™; Stratagene). Bacterial transformants can be screened by restriction enzyme digestion of plasmid DNA and limited nucleotide sequence analysis using the dideoxy chain termination method (Sequenase™ DNA Sequencing Kit; U.S. Biochemical). The resulting plasmid construct would comprise a chimeric gene encoding, in the 5' to 3' direction, the maize 27 kD zein promoter, a cDNA fragment encoding the instant polypeptides, and the 10 kD zein 3' region.

The chimeric gene described above can then be introduced into corn cells by the following procedure. Immature corn embryos can be dissected from developing caryopses derived from crosses of the inbred corn lines H99 and LH132. The embryos are isolated 10 to 11 days after pollination when they are 1.0 to 1.5 mm long. The embryos are then placed with the axis-side facing down and in contact with agarose-solidified N6 medium (Chu et al. (1975) *Sci. Sin. Peking* 18:659-668). The embryos are kept in the dark at 27°C. Friable embryogenic callus consisting of undifferentiated masses of cells with somatic proembryoids and embryoids borne on suspensor structures proliferates from the scutellum of these immature embryos. The embryogenic callus isolated from the primary explant can be cultured on N6 medium and sub-cultured on this medium every 2 to 3 weeks.

The plasmid, p35S/Ac (obtained from Dr. Peter Eckes, Hoechst Ag, Frankfurt, Germany) may be used in transformation experiments in order to provide for a selectable marker. This plasmid contains the *Pat* gene (see European Patent Publication 0 242 236)

which encodes phosphinothricin acetyl transferase (PAT). The enzyme PAT confers resistance to herbicidal glutamine synthetase inhibitors such as phosphinothricin. The *pat* gene in p35S/Ac is under the control of the 35S promoter from Cauliflower Mosaic Virus (Odell et al. (1985) *Nature* 313:810-812) and the 3' region of the nopaline synthase gene

5 from the T-DNA of the Ti plasmid of *Agrobacterium tumefaciens*.

The particle bombardment method (Klein et al. (1987) *Nature* 327:70-73) may be used to transfer genes to the callus culture cells. According to this method, gold particles (1 μ m in diameter) are coated with DNA using the following technique. Ten μ g of plasmid DNAs are added to 50 μ L of a suspension of gold particles (60 mg per mL). Calcium chloride

10 (50 μ L of a 2.5 M solution) and spermidine free base (20 μ L of a 1.0 M solution) are added to the particles. The suspension is vortexed during the addition of these solutions. After 10 minutes, the tubes are briefly centrifuged (5 sec at 15,000 rpm) and the supernatant removed. The particles are resuspended in 200 μ L of absolute ethanol, centrifuged again and the supernatant removed. The ethanol rinse is performed again and the particles

15 resuspended in a final volume of 30 μ L of ethanol. An aliquot (5 μ L) of the DNA-coated gold particles can be placed in the center of a Kapton™ flying disc (Bio-Rad Labs). The particles are then accelerated into the corn tissue with a Biolistic™ PDS-1000/He (Bio-Rad Instruments, Hercules CA), using a helium pressure of 1000 psi, a gap distance of 0.5 cm and a flying distance of 1.0 cm.

20 For bombardment, the embryogenic tissue is placed on filter paper over agarose-solidified N6 medium. The tissue is arranged as a thin lawn and covered a circular area of about 5 cm in diameter. The petri dish containing the tissue can be placed in the chamber of the PDS-1000/He approximately 8 cm from the stopping screen. The air in the chamber is then evacuated to a vacuum of 28 inches of Hg. The macrocarrier is accelerated with a

25 helium shock wave using a rupture membrane that bursts when the He pressure in the shock tube reaches 1000 psi.

Seven days after bombardment the tissue can be transferred to N6 medium that contains glufosinate (2 mg per liter) and lacks casein or proline. The tissue continues to grow slowly on this medium. After an additional 2 weeks the tissue can be transferred to

30 fresh N6 medium containing glufosinate. After 6 weeks, areas of about 1 cm in diameter of actively growing callus can be identified on some of the plates containing the glufosinate-supplemented medium. These calli may continue to grow when sub-cultured on the selective medium.

Plants can be regenerated from the transgenic callus by first transferring clusters of

35 tissue to N6 medium supplemented with 0.2 mg per liter of 2,4-D. After two weeks the tissue can be transferred to regeneration medium (Fromm et al. (1990) *Bio/Technology* 8:833-839).

EXAMPLE 6

Expression of Chimeric Genes in Dicot Cells

A seed-specific expression cassette composed of the promoter and transcription terminator from the gene encoding the β subunit of the seed storage protein phaseolin from the bean *Phaseolus vulgaris* (Doyle et al. (1986) *J. Biol. Chem.* 261:9228-9238) can be used for expression of the instant polypeptides in transformed soybean. The phaseolin cassette includes about 500 nucleotides upstream (5') from the translation initiation codon and about 1650 nucleotides downstream (3') from the translation stop codon of phaseolin. Between the 5' and 3' regions are the unique restriction endonuclease sites Nco I (which includes the ATG translation initiation codon), Sma I, Kpn I and Xba I. The entire cassette is flanked by Hind III sites.

The cDNA fragment of this gene may be generated by polymerase chain reaction (PCR) of the cDNA clone using appropriate oligonucleotide primers. Cloning sites can be incorporated into the oligonucleotides to provide proper orientation of the DNA fragment when inserted into the expression vector. Amplification is then performed as described above, and the isolated fragment is inserted into a pUC18 vector carrying the seed expression cassette.

Soybean embryos may then be transformed with the expression vector comprising sequences encoding the instant polypeptides. To induce somatic embryos, cotyledons, 3-5 mm in length dissected from surface sterilized, immature seeds of the soybean cultivar A2872, can be cultured in the light or dark at 26°C on an appropriate agar medium for 6-10 weeks. Somatic embryos which produce secondary embryos are then excised and placed into a suitable liquid medium. After repeated selection for clusters of somatic embryos which multiplied as early, globular staged embryos, the suspensions are maintained as described below.

Soybean embryogenic suspension cultures can be maintained in 35 mL liquid media on a rotary shaker, 150 rpm, at 26°C with florescent lights on a 16:8 hour day/night schedule. Cultures are subcultured every two weeks by inoculating approximately 35 mg of tissue into 35 mL of liquid medium.

Soybean embryogenic suspension cultures may then be transformed by the method of particle gun bombardment (Klein et al. (1987) *Nature* (London) 327:70-73, U.S. Patent No. 4,945,050). A DuPont Biolistic™ PDS1000/HE instrument (helium retrofit) can be used for these transformations.

A selectable marker gene which can be used to facilitate soybean transformation is a chimeric gene composed of the 35S promoter from Cauliflower Mosaic Virus (Odell et al. (1985) *Nature* 313:810-812), the hygromycin phosphotransferase gene from plasmid pJR225 (from *E. coli*; Gritz et al. (1983) *Gene* 25:179-188) and the 3' region of the nopaline synthase gene from the T-DNA of the Ti plasmid of *Agrobacterium tumefaciens*. The seed expression

cassette comprising the phaseolin 5' region, the fragment encoding the instant polypeptides and the phaseolin 3' region can be isolated as a restriction fragment. This fragment can then be inserted into a unique restriction site of the vector carrying the marker gene.

To 50 μ L of a 60 mg/mL 1 μ m gold particle suspension is added (in order): 5 μ L
5 DNA (1 μ g/ μ L), 20 μ L spermidine (0.1 M), and 50 μ L CaCl_2 (2.5 M). The particle preparation is then agitated for three minutes, spun in a microfuge for 10 seconds and the supernatant removed. The DNA-coated particles are then washed once in 400 μ L 70% ethanol and resuspended in 40 μ L of anhydrous ethanol. The DNA/particle suspension can be sonicated three times for one second each. Five μ L of the DNA-coated gold particles are
10 then loaded on each macro carrier disk.

Approximately 300-400 mg of a two-week-old suspension culture is placed in an empty 60x15 mm petri dish and the residual liquid removed from the tissue with a pipette. For each transformation experiment, approximately 5-10 plates of tissue are normally
15 bombarded. Membrane rupture pressure is set at 1100 psi and the chamber is evacuated to a vacuum of 28 inches mercury. The tissue is placed approximately 3.5 inches away from the retaining screen and bombarded three times. Following bombardment, the tissue can be divided in half and placed back into liquid and cultured as described above.

Five to seven days post bombardment, the liquid media may be exchanged with fresh media, and eleven to twelve days post bombardment with fresh media containing 50 mg/mL
20 hygromycin. This selective media can be refreshed weekly. Seven to eight weeks post bombardment, green, transformed tissue may be observed growing from untransformed, necrotic embryogenic clusters. Isolated green tissue is removed and inoculated into individual flasks to generate new, clonally propagated, transformed embryogenic suspension cultures. Each new line may be treated as an independent transformation event. These
25 suspensions can then be subcultured and maintained as clusters of immature embryos or regenerated into whole plants by maturation and germination of individual somatic embryos.

EXAMPLE 7

Expression of Chimeric Genes in Microbial Cells

The cDNAs encoding the instant polypeptides can be inserted into the T7 *E. coli*
30 expression vector pBT430. This vector is a derivative of pET-3a (Rosenberg et al. (1987) *Gene* 56:125-135) which employs the bacteriophage T7 RNA polymerase/T7 promoter system. Plasmid pBT430 was constructed by first destroying the EcoR I and Hind III sites in pET-3a at their original positions. An oligonucleotide adaptor containing EcoR I and Hind III sites was inserted at the BamH I site of pET-3a. This created pET-3aM with
35 additional unique cloning sites for insertion of genes into the expression vector. Then, the Nde I site at the position of translation initiation was converted to an Nco I site using oligonucleotide-directed mutagenesis. The DNA sequence of pET-3aM in this region, 5'-CATATGG, was converted to 5'-CCCATGG in pBT430.

Plasmid DNA containing a cDNA may be appropriately digested to release a nucleic acid fragment encoding the protein. This fragment may then be purified on a 1% NuSieve GTG™ low melting agarose gel (FMC). Buffer and agarose contain 10 µg/ml ethidium bromide for visualization of the DNA fragment. The fragment can then be purified from the agarose gel by digestion with GELase™ (Epicentre Technologies) according to the manufacturer's instructions, ethanol precipitated, dried and resuspended in 20 µL of water. Appropriate oligonucleotide adapters may be ligated to the fragment using T4 DNA ligase (New England Biolabs, Beverly, MA). The fragment containing the ligated adapters can be purified from the excess adapters using low melting agarose as described above. The vector pBT430 is digested, dephosphorylated with alkaline phosphatase (NEB) and deproteinized with phenol/chloroform as described above. The prepared vector pBT430 and fragment can then be ligated at 16°C for 15 hours followed by transformation into DH5 electrocompetent cells (GIBCO BRL). Transformants can be selected on agar plates containing LB media and 100 µg/mL ampicillin. Transformants containing the gene encoding the instant polypeptides are then screened for the correct orientation with respect to the T7 promoter by restriction enzyme analysis.

For high level expression, a plasmid clone with the cDNA insert in the correct orientation relative to the T7 promoter can be transformed into *E. coli* strain BL21(DE3) (Studier et al. (1986) *J. Mol. Biol.* 189:113-130). Cultures are grown in LB medium containing ampicillin (100 mg/L) at 25°C. At an optical density at 600 nm of approximately 1, IPTG (isopropylthio-β-galactoside, the inducer) can be added to a final concentration of 0.4 mM and incubation can be continued for 3 h at 25°. Cells are then harvested by centrifugation and re-suspended in 50 µL of 50 mM Tris-HCl at pH 8.0 containing 0.1 mM DTT and 0.2 mM phenyl methylsulfonyl fluoride. A small amount of 1 mm glass beads can be added and the mixture sonicated 3 times for about 5 seconds each time with a microprobe sonicator. The mixture is centrifuged and the protein concentration of the supernatant determined. One µg of protein from the soluble fraction of the culture can be separated by SDS-polyacrylamide gel electrophoresis. Gels can be observed for protein bands migrating at the expected molecular weight.

EXAMPLE 8

Expression of *Picramnia* EST pps.pk0011.d5 in Somatic Soybean Embryos

As one method of assaying the function of the polypeptide encoded by the *Picramnia* EST pps.pk0011.d5, the corresponding cDNA was expressed in somatic soybean embryos, and the fatty acid composition of the resulting transgenic tissue was examined for alterations accompanying the expression of the cDNA.

A plasmid pZBL100 containing chimeric genes to allow expression of hygromycin B phosphotransferase in certain bacteria and in plant cells was constructed from the following genetic elements: (a) T7 promoter + Shine-Delgarno / hygromycin B

phosphotransferase (HPT) / T7 terminator sequence, (b) 35S promoter from cauliflower mosaic virus (CaMV) / hygromycin B phosphotransferase (HPT) / nopaline synthase (NOS3' from *Agrobacterium tumefaciens* T-DNA, and (c) pSP72 plasmid vector [from Promega] with β -lactamase coding region (ampicillin resistance gene) removed.

5 The hygromycin B phosphotransferase gene was amplified by PCR from *E. coli* strain W677, which contained a *Klebsiella* derived plasmid pJR225. Starting with the pSP72 vector the elements were assembled into a single plasmid using standard cloning methods (Maniatis).

10 Plasmid pZBL100 thus contains the T7 promoter/HPT/T7 terminator cassette for expression of the HPT enzyme in certain strains of *E. coli*, such as NovaBlue (DE3) (Novagen), that are lysogenic for lambda DE3 (which carries the T7 RNA Polymerase gene under *lacUV5* control). Plasmid pZBL100 also contains the 35S/HPT/NOS cassette for constitutive expression of the HPT enzyme in plants, such as soybean. These two expression systems allow selection for growth in the presence of hygromycin to be used as
15 a means of identifying cells that contain the plasmid in both bacterial and plant systems.

PZBL100 also contains three unique restriction endonuclease sites suitable for the cloning of other chimeric genes into this vector.

20 A plasmid for expression of the cDNA encoding fatty acid modifying enzymes under the control of the soybean β -conglycinin promoter (Beachy et al., (1985) EMBO J. 4:3047-3053) can be constructed. The construction of this vector was facilitated by the use of plasmids pCW109 and pML18, both of which have been described (see World Patent Publication No. WO 94/11516).

25 A unique *NotI* site was introduced into the cloning region between the β -conglycinin promoter and the phaseolin 3' end in pCW109 by digestion with *NcoI* and *XbaI* followed by removal of the single stranded DNA ends with mung bean exonuclease. *NotI* linkers (New England Biochemical catalog number NEB 1125) were ligated into the linearized plasmid to produce plasmid pAW35. The single *NotI* site in pML18 was destroyed by digestion with *NotI*, filling in the single stranded ends with dNTPs and Klenow fragment followed by re-ligation of the linearized plasmid. The modified pML18
30 was then digested with *HindIII* and treated with calf intestinal phosphatase.

35 The β -conglycinin:*NotI*:phaseolin expression cassette in pAW35 was removed by digestion with *HindIII* and the 1.8 kB fragment was isolated by agarose gel electrophoresis. The isolated fragment was ligated into the modified and linearized pML18 construction described above. A clone with the desired orientation was identified by digestion with *NotI* and *XbaI* to release a 1.08 kB fragment indicating that the orientation of the β -conglycinin transcription unit was the same as the selectable marker transcription unit. The resulting plasmid was given the name pBS19

HindIII is one of the unique cloning sites available in pZBL100. To assemble the final expression cassette, pBS19 and pZBL100 were both digested with *HindIII*. The β -conglycinin containing fragment from pBS19 was isolated by gel electrophoresis and ligated into the digested pZBL100, which had been treated with calf alkaline phosphatase.

5 The resulting plasmid was named pKS67.

The cDNA insert for the *Picramnia* EST pk0011.d5 was amplified by PCR to generate flanking *NotI* sites to allow for cloning into the corresponding restriction site of plasmid pKS67. The 5' and 3' oligonucleotide primers used for the amplification of the *Picramnia* cDNA are provided in SEQ ID NO:14 and 15, respectively.

10 PCR reactions were conducted using *Pfu* polymerase (Stratagene) and the cDNA corresponding to EST pps.pk0011.d5 as the template. Products from amplification reactions were purified and subcloned into pCR-Script Amp SK(+). The PCR product was then moved as a *NotI* fragment into the soybean expression vector pKS67.

15 Gene fusions of the *Picramnia* cDNA with the conglycinin promoter and phaseolin termination sequences in vector pKS67 were introduced into soybean embryos using the particle bombardment method of transformation. To induce somatic embryos, cotyledons, 3-5 mm in length dissected from surface sterilized, immature seeds of a soybean cultivar, such as A2872, can be cultured in the light or dark at 26°C on an appropriate agar medium for 6-10 weeks. Somatic embryos that produce secondary embryos were then excised and
20 placed into a suitable liquid medium. After repeated selection for clusters of somatic embryos that multiplied as early, globular staged embryos, the suspensions were maintained as described below.

Soybean embryogenic suspension cultures were maintained in 35 mL liquid media on a rotary shaker, 150 rpm, at 26°C with fluorescent lights on a 16:8 hour day/night schedule.
25 Cultures were subcultured every two weeks by inoculating approximately 35 mg of tissue into 35 mL of liquid medium.

Soybean embryogenic suspension cultures were then transformed with the vector pKS67 containing the *Picramnia* cDNA for EST pps.pk0011.d5 by the method of particle gun bombardment (Klein et al. (1987) Nature (London) 327:70, U.S. Patent No. 4,945,050).
30 A DuPont Biolistic PDS1000/HE instrument (helium retrofit) was used for these transformations.

To 50 mL of a 60 mg/mL 1 mm gold particle suspension were added (in order): 5 mL DNA (1 mg/mL), 20 ml spermidine (0.1 M), and 50 mL CaCl_2 (2.5 M). The particle preparation was then agitated for three minutes, spun in a microfuge for 10 seconds and the
35 supernatant removed. The DNA-coated particles were then washed once in 400 mL 70% ethanol and resuspended in 40 mL of anhydrous ethanol. The DNA/particle suspension was sonicated three times for one second each. Five mL of the DNA-coated gold particles was then loaded on each macro carrier disk.

Approximately 300-400 mg of a two-week-old suspension culture was placed in an empty 60x15-mm petri dish and the residual liquid removed from the tissue with a pipette. For each transformation experiment, approximately 5 to 10 plates of tissue were bombarded. Membrane rupture pressure was set at 1100 psi and the chamber was evacuated to a vacuum of 28 inches mercury. The tissue was placed approximately 3.5 inches away from the retaining screen and bombarded three times. Following bombardment, the tissue was divided in half and placed back into liquid and cultured as described above.

Five to seven days post bombardment, the liquid media was exchanged with fresh media, and eleven to twelve days post bombardment with fresh media containing 50 mg/mL hygromycin. This selective media was refreshed weekly. Seven to eight weeks post bombardment, green, transformed tissue was observed growing from untransformed, necrotic embryogenic clusters. Isolated green tissue was removed and inoculated into individual flasks to generate new, clonally propagated, transformed embryogenic suspension cultures. Each new line was treated as an independent transformation event. These suspensions were then subcultured and maintained as clusters of immature embryos.

Transgenic soybean embryos selected and maintained in this manner were analyzed for alterations in fatty acid composition. Individual embryos expressing the cDNA for the *Picramnia* EST pps.pk0011.d5 were homogenized in 1% (w/v) sodium methoxide in methanol. Fatty acid methyl esters resulting from this transesterification step were analyzed by both GC and GC-MS as described elsewhere (Hitz et al. (1994) Plant Physiol. 105:635-641). Using this methodology, individual somatic soybean embryos from transformation event MS151-5-4 were found to contain a fatty acid whose methyl ester had a retention time and mass spectrum consistent with that of gamma-linolenic acid (18:3 $\Delta^{6,9,12}$). This fatty acid is not normally present in somatic soybean embryos. In individual embryos expressing the cDNA for *Picramnia* EST pps.pk0011.d5, gamma-linolenic acid was detected in amounts as high as 1.2% (wt/wt) of the total fatty acids. Accompanying the occurrence of gamma-linolenic acid in transgenic somatic soybean embryos was an unidentified compound with a retention time intermediate to that of methyl α -linolenic acid (18:3 $\Delta^{9,12,15}$) and methyl eicosanoic acid (20:0) on a polar GC column, such as Omegawax 320 (Supelco). Analysis by GC-MS indicated that this compound had an apparent molecular ion of 294 *m/z*. This compound accounted for ...0.5% of the total fatty acids of individual embryos from transformation event MS151-5-4 and was only found in embryos that contained detectable amounts of gamma-linolenic acid. Overall, the presence of gamma-linolenic acid in transgenic somatic soybean embryos confirms that the introduced gene is capable of enhancing a Δ^6 desaturation event in a tissue that normally does not accumulate fatty acids with these bonds. The production of tariric acid by this enzyme cannot be addressed due to the low overall accumulation of Δ^6 containing fatty acids. Isolation of embryos expressing higher levels of the introduced gene may resolve this question.

Various modifications of the invention in addition to those shown and described herein will be apparent to those skilled in the art from the foregoing description. Such modifications are also intended to fall within the scope of the appended claims.

The disclosure of each reference set forth above is incorporated herein by reference in
5 its entirety.

(c) measuring the level of a polypeptide in the plant cell containing the polynucleotide; and

(d) comparing the level of polypeptide in the plant cell containing the isolated polynucleotide with the level of polypeptide in a plant cell that does not contain the isolated polynucleotide.

12. The method of Claim 11 wherein the isolated polynucleotide consists of a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16 that codes for the polypeptide selected from the group consisting of SEQ ID NOs:2, 4, 6, 8, and 17.

13. A method of selecting an isolated polynucleotide that affects the level of expression of a delta-6 desaturase or sphingolipid desaturase polypeptide in a plant cell, the method comprising the steps of:

(a) constructing an isolated polynucleotide of Claim 1;

(b) introducing the isolated polynucleotide into a plant cell;

(c) measuring the level of polypeptide in the plant cell containing the polynucleotide; and

(d) comparing the level of polypeptide in the plant cell containing the isolated polynucleotide with the level of polypeptide in a plant cell that does not contain the polynucleotide.

14. A method of obtaining a nucleic acid fragment encoding a delta-6 desaturase or sphingolipid desaturase polypeptide comprising the steps of:

(a) synthesizing an oligonucleotide primer comprising a nucleotide sequence of at least one of 40 contiguous nucleotides derived from a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16 and the complement of such nucleotide sequences; and

(b) amplifying a nucleic acid sequence using the oligonucleotide primer.

15. A method of obtaining a nucleic acid fragment encoding the amino acid sequence encoding a delta-6 desaturase or sphingolipid desaturase polypeptide comprising the steps of:

(a) probing a cDNA or genomic library with an isolated polynucleotide comprising a nucleotide sequence of at least one of 30 contiguous nucleotides derived from a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16 and the complement of such nucleotide sequences;

(b) identifying a DNA clone that hybridizes with the isolated polynucleotide;

(c) isolating the identified DNA clone; and

(d) sequencing the cDNA or genomic fragment that comprises the isolated DNA clone.

16. A method for positive selection of a transformed cell comprising:

CLAIMS

What is claimed is:

1. An isolated polynucleotide comprising a first nucleotide sequence encoding a polypeptide of at least 60 amino acids that has at least 55% identity based on the Clustal method of alignment when compared to a delta-6 desaturase polypeptide of SEQ ID NO:2, a second nucleotide sequence encoding a first polypeptide of at least 114 amino acids that has at least 80% identity based on the Clustal method of alignment when compared to a polypeptide selected from the group consisting of a sphingolipid desaturase polypeptide of SEQ ID NO:4, SEQ ID NO:6, SEQ ID NO:8, and SEQ ID NO:17 or a third nucleotide sequence comprising the complement of the first or second nucleotide sequences.
2. The isolated polynucleotide of Claim 1, wherein the isolated polynucleotide consists of a nucleotide sequence selected from the group consisting of SEQ ID NOs:1, 3, 5, 7, and 16 that codes for the polypeptide selected from the group consisting of SEQ ID NOs:2, 4, 6, 8, and 17.
3. The isolated polynucleotide of Claim 1 wherein the nucleotide sequences are DNA.
4. The isolated polynucleotide of Claim 1 wherein the nucleotide sequences are RNA.
5. A chimeric gene comprising the isolated polynucleotide of Claim 1 operably linked to suitable regulatory sequences.
6. An isolated host cell comprising the chimeric gene of Claim 5.
7. An isolated host cell comprising an isolated polynucleotide of Claim 1 or Claim 3.
8. The isolated host cell of Claim 7 wherein the isolated host is selected from the group consisting of yeast, bacteria, plant, and virus.
9. A virus comprising the isolated polynucleotide of Claim 1.
10. A polypeptide of at least 60 amino acids that has at least 55% identity based on the Clustal method of alignment when compared to the polypeptide of SEQ ID NO:2, or at least 114 amino acids that has at least 80% identity based on the Clustal method of alignment when compared to a polypeptide selected from the group consisting of SEQ ID NO:4, SEQ ID NO:6, SEQ ID NO:8, and SEQ ID NO:17.
11. A method of selecting an isolated polynucleotide that affects the level of expression of a desaturase polypeptide in a plant cell, the method comprising the steps of:
 - (a) constructing an isolated polynucleotide comprising a nucleotide sequence of at least one of 30 contiguous nucleotides derived from a nucleotide sequence selected from the group consisting of SEQ ID NOs: 1, 3, 5, 7, and 16 and the complement of such nucleotide sequences;
 - (b) introducing the isolated polynucleotide into a plant cell;

(a) transforming a host cell with the chimeric gene of Claim 5; and
(b) growing the transformed host cell under conditions suitable for the
expression of the chimeric gene allowing expression of the polynucleotide in an amount to
alter the concentration of fatty acids with delta-6 double bonds in the host cell to provide a
5 positive selection means.

17. The method of Claim 16 wherein the host cell is selected from the group
consisting of plant cells and procaryotes.

18. The method of Claim 16 wherein levels of tariric acid are altered.

19. A method for positive selection of a transformed cell comprising:

10 (a) transforming a plant cell with the chimeric gene of Claim 5;
(b) growing a plant from the transformed plant cell of step (a) allowing
expression of the polynucleotide in an amount to alter the concentration of fatty acids with
delta-6 double bonds in the seeds of the plant to provide a positive selection means.

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(54) Title: MEMBRANE-BOUND DESATURASES

(57) Abstract

This invention relates to an isolated nucleic acid fragment encoding a delta-6 desaturase or sphingolipid desaturase. The invention also relates to the construction of a chimeric gene encoding all or a portion of the delta-6 desaturase or sphingolipid desaturase, in sense or antisense orientation, wherein expression of the chimeric gene results in production of altered levels of the delta-6 desaturase or sphingolipid desaturase in a transformed host cell.

[illegible]

```
bllcbeush [ISM_2]
soybean [ISM_8]
bora [sgl_2062403]
corn [ISM_4]
wheat [ISM_10]
wheat [sgl_4104056]
soybean [ISM_6]
sunflower [sgl_10407291]
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FIGURE 1

bitterbush_[SIN_2]	GHDSCHYQVMPNRKLNRLFQIIAGNVIAGSVAVWVKLDHNTTHHFAACNSANLDPDQIHLPI
soybean_[SIN_8]	GHDSGHYVVMVMTTNGFNKVAQIILSGNCLTGISIAWVKWTHNAHHAACNSLDHDPDLQHMPV
borage_[gi_2062403]	GHDAAGHYMVVSDSRLNKFMGIFAANCLSGISIGWKKWNHNAHHAACNSLEYDQIYIPF
corn_[SIN_4]	GHDSGHHRITGHPVLDVVQVLSGNCLTGLSIAWKKCNHNTTHHHAACNSLDHDPDLQHMPV
wheat_[SIN_10]	GHDSGHHQITRHPALNRLQVVSNGCLTGLGIAWKKFNHNTTHHISCNSLDHDPDLQHLP
wheat_[gi_4104056]	GHDSGHHQITRHPALNRLQVVSNGCLTGLGIAWKKFNHNTTHHISCNSLDHDPDLQHLP
soybean_[SIN_6]	GHDSGHYNVMLSRRLNRAIQIILSGNCLTGLSIAWKKWNHNAHHAACNSLDYDQIYIPF
sunflower_[gi_1040729]	GHDAAGHYQMMATRGNKFAFIFIGNCITGISIÄWVKWTHNAHHAACNSLDYDQIYIPF
bitterbush_[SIN_2]	IAISPKEFNLSITYYHNCKMTYDRAARFFVSFQHWTFYPALLSVRLYLFIILSKVVFSSNN
soybean_[SIN_8]	FAVSSRFFNSITSHFYGRKLEFDIARFLICYQHFTFYPVCMCVARNLYLQTIILLFSR-
borage_[gi_2062403]	LVSSKFFGSLTSHFYGRKLEFDIARFLICYQHFTFYPVCMCVARNLYLQTIILLFSR-
corn_[SIN_4]	FAVSPKLFNGNIWSYFYQRTLAFDAASKFFISYQHWTFFYPVCMCIARINLLAQSAFLVITE-
wheat_[SIN_10]	FAVSTKLFNNLWSVCYERTLAFDAISKFFVSQHWTFYPVCMGFARINLLVQSIVFLITQ-
wheat_[gi_4104056]	FAVSTKLFNNLWSVCYERTLAFDAISKFFVSQHWTFYPVCMGFARINLLVQSIVFLITQ-
soybean_[SIN_6]	FAVSSRFFNSITSHXYGRKXEFDXIAFLICYQHFTFYPVCMCVARNLYLQTIILLFSR-
sunflower_[gi_1040729]	LAVSSKLFNSITSVFYGRQLTFDPLARFFVSQHYLYYPIMCVARNLYLQTIILLISK-
bitterbush_[SIN_2]	KRVYKRSQEIILGYAAFLTWYSLLLSRLPNWPVVMYFTSCLAVAGFQHWQFSLNHFASNV
soybean_[SIN_8]	RKVQDRALNIMGILVFWTWFPLLVSCLPNWPVVMFVLAFAVCISIQHIQFCLNHFASNV
borage_[gi_2062403]	RNVSYRAHELLGCLVFSIWYPLLVSCLPNWPVVMFVLAFAVCISIQHIQFCLNHFASNV
corn_[SIN_4]	KRVQDRALLEIAGVATFWAWYPLLVASLPNWWERVAFLVFSFTICGIQHVQFCLNHFSSDV
wheat_[SIN_10]	KKVRQRMWLEIAGVAAFWVWYPLLVSCLPNWWERVAFLVFSFTICGIQHVQFCLNHFSSDV
wheat_[gi_4104056]	KKVRQRMWLEIAGVAAFWVWYPLLVSCLPNWWERVAFLVFSFTICGIQHVQFCLNHFSSDV
soybean_[SIN_6]	XKVQDRALNIMGILVFWTWFPLLVSCLPNWWERVAFLVFSFTICGIQHVQFCLNHFSSDV
sunflower_[gi_1040729]	RKIPDRGLNIGLTLIFWTWFPLLVSRLPNWPVVMFVLAFAVCISIQHIQFCLNHFSSDV

FIGURE 1

bitterbush_[SIN_2]	YTGLPSGNDWFHQQTGTLNITASAWDWFHGGHGFQIEHHLFPRMPKCHFRKISPIVNK
soybean_[SIN_8]	YVGPPSGNDWFEKQTSGLTLDISCASSMDWFFGGLQFQLEHHLFPRLPRCQLRKISPLVSD
borage_[gi_2062403]	YVGKPKGNWFEKQTDGTLDISCPPWMDWFHGGGLQFQIEHHLFPKMPRCNLRKISPYVIE
corn_[SIN_4]	YVGPPKGNWFEKQTAGTLDILCSPWMDWFHGGGLQFQIEHHLFPRLPRCHLRKVAPVRD
wheat_[SIN_10]	YVGPPKGNWFERQTAGTLDIKCSPWMDWFHGGGLQFQVEHHLFPRLPRCHYRMVAPIVRD
wheat_[gi_4104056]	YVGPPKGNWFERQTAGTLDIKCSPWMDWFHGGGLQFQVEHHLFPRLPRCHYRMVAPIVRD
soybean_[SIN_6]	YXG-----
sunflower_[gi_1040729]	YVGPPKGNWFEKQTRGTIDACSSWMDWFFGGLQFQLEHHLFPRLPRCHLRSPICRE
bitterbush_[SIN_2]	LCQKHNLSEYETATMWEANKMVYSTLRVAMEAKDVTK-PVPKNMVWEAMNTFG
soybean_[SIN_8]	LCKKHNLPSRSLSFWEANQWTIRTLRTAALQARDLTN-PAPKNLLWEAVNTHG
borage_[gi_2062403]	LCKKHNLPPNYASFESKANEMTLRTLRTALQARDITK-PLPKNLVWEALHTHG
corn_[SIN_4]	LCKKHGLTYSAAATFWGANVLTWKTLRRAALQARTATSGGAPKNLVWEAVNTHG
wheat_[SIN_10]	LCKKHGLSYGAATFWEANVMTWKTLRRAALQAREATTGAAPKNLVWEALNTHG
wheat_[gi_4104056]	LCKKHGLSYGAATFWEANVMTWKTLRRAALQAREATTGAAPKNLVWEALNTHG
soybean_[SIN_6]	-----
sunflower_[gi_1040729]	LCKKYNLPYVSLSFYDANVTTLKTLRTAALQARDLTN-PAPQNLAWAEAFNTHG

Rev. 06/95

Docket Number
BB1264PCT

DECLARATION and POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MEMBRANE-BOUND DESATURASES

the specification of which is attached hereto unless the following box is checked:

☒ was filed on **02 DECEMBER 1999** as U.S. Application No. _____ or PCT International Application No. **PCT/US99/28589** and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Application No.	Country	Filing Date	Priority Claimed (Yes/No)
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States Provisional Application(s) listed below.

U.S. Provisional Application No.

60/110,784

U.S. Filing Date

03 DECEMBER 1998

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is known to me to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application No.	Filing Date	Status (patented, pending or abandoned)
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POWER OF ATTORNEY: I hereby appoint the following attorney(s) and/or agent(s) the power to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:Name: **GREGORY J. FEULNER**Registration No.: **41,744**

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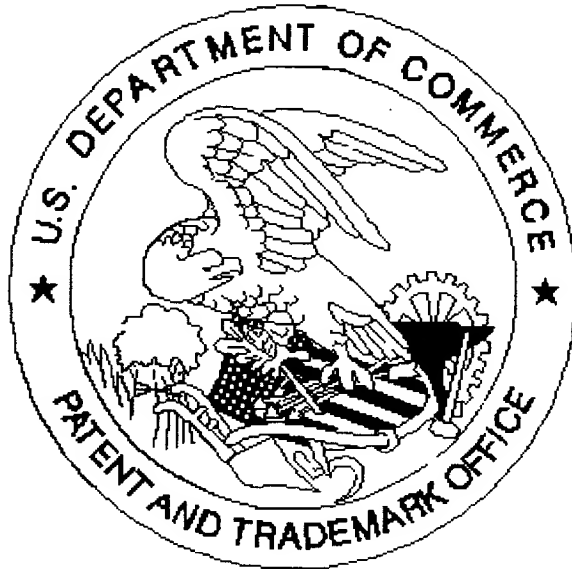
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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☒ Additional Inventors are being named on separately numbered sheets attached hereto.

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